

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Pouch Ruach,

Civil No. 12-1129 (PAM/JSM)

Plaintiff,

v.

ORDER

Ashlee Berts, Bruce Julson,
Michelle Smith, Jenny Carufel,
Greg Lindell, Behrends Scott. A,
Margaret Thron, Michael Warner,
Shannan Smith, Hadrava Scott A.,
Oseland Craig, John King,
Steve Hammer, Paula Thielen, and
Brianna Arnzen,

Defendants.

This matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Janie S. Mayeron, dated August 5, 2013, which recommended that this Court deny Plaintiff’s Motions for the Defense of Qualified Immunity and for Partial Summary Judgment and grant Defendants’ Cross Motion for Summary Judgment. Plaintiff has not objected to the R&R within the time permitted. The Court therefore **ADOPTS** the R&R (Docket No. 144).

Accordingly, **IT IS HEREBY ORDERED** that:

1. Plaintiff’s Motion for the Defense of Qualified Immunity (Docket No. 44) is
DENIED;

2. Plaintiff's Motion for Partial Summary Judgment (Docket No. 52) is **DENIED**;
3. Defendants' Cross Motion for Summary Judgment (Docket No. 78) is **GRANTED**; and
4. Plaintiff's federal claims are **DISMISSED with prejudice** and his state law tort claim is **DISMISSED without prejudice**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 27, 2013

s/ Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge